

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-5 are pending in this application. Claim 1 has been amended as supported in the present specification including in Examples 1-12.

No new matter has been added.

Claims 1-5 stand rejected under 35 USC 112, first paragraph because the Examiner finds the recited sulfate or phosphate salts of a polyoxyalkylene arylphenyl ether to be inadequately supported by the present disclosure. Claim 1 has been amended as shown above to recite particular sulfate and phosphate salts that are employed in Examples 1-12 of the present specification.

Accordingly, the applicants submit that all presently considered claims are fully allowable under Section 112, first paragraph. Withdrawal of this rejection is respectfully requested.

The applicants respectfully traverse the rejection of claims 1-5 under 35 USC 103(a) over Suwa et al., in view of Suzuki et al. and in further view of Deming et al. None of the cited references taken alone or in combination make the presently claimed invention to be obvious.

The Examiner relies upon an abstract of the reference, Suwa et al. (JP 05-043402) and the applicants now provide the Examiner with a full, English language copy of the reference, attached to this Amendment. A Form PTO 1449 is attached hereto listing the full reference and the applicants request the Examiner to consider the reference plus return a signed copy of the Form PTO 1449 with the Examiner's initials in the left column per MPEP 609.

The Office Action states that Suwa et al. describes a water dispersible granular composition containing an agricultural active component, a surfactant A and a surfactant B, and surfactant A may comprise ligninsulfonate and surfactant B may comprise polyoxyethylene strylphenyl ether sulfuric acid ester.

Suzuki, et al. discloses a water dispersible granule suitable for preparing a formulation of pesticides, and refers to cyflufenamide as a pesticidal component.

Importantly, however, Suwa and Suzuki fail to disclose the specific combination in the presently claimed invention of lignosulfonate surfactant as surfactant A and polyoxyethylene tristyrylphenyl ether sulfate or phosphate as surfactant B.

Further, Suwa and Suzuki do not contain any suggestion of a lignosulfonate surfactant with a degree of sulfonation of at least 2.0.

With respect to the lignosulfonate surfactant having a degree of sulfonation of at least 2.0, the Office Action states that Deming et al. teaches the use of the surfactant Polyfon T, which is a ligninsulfonate surfactant having a degree of sulfonation of 2.0 (which is described in the present specification at page 6, lines 27 to 28). However, Deming et al. actually describes "Polyfon ® 0, H, T and F" as disclosed at column 20, lines 68 to 69 of the reference. Whereas Polyfon T and F have a degree of sulfonation of 2.0 and 4.0 respectively, Polyfon 0 and H have a degree of sulfonation 1.2 and 0.5 respectively.

Accordingly, the applicants submit that the Deming description would not provide a person skilled in the art with any motivation nor any expectation of success to use a ligninsulfonate surfactant with a degree of sulfonation of at least 2.0.

The present specification describes comparative experiments regarding Polyfon 0, H, T and F. Namely, according to Table 1 on page 21 of the present specification, granulated pesticidal compositions of Examples 6 and 12, which respectively include Polyfon F and T, both exhibit excellent self-dispersibility after standing at 54°C for 14 days. In contrast, compositions of Comparative Examples 11 and 13 which respectively include Polyfon F and T, fails to maintain self-dispersibility after standing at 54°C for 14 days.

Further, as stated above, there is no description or suggestion in the three publications, regarding the specific combination of lignosulfonate surfactant and polyoxyethylene tristyrylphenyl ether sulfate or phosphate. Therefore, the applicants assert that a person of ordinary skill in the art would not be able to arrive at the presently claimed invention nor conceive of its advantageous effect in view of the descriptions of Suwa et al., Suzuki et al. and Deming et al.

The applicants submit that the presently claimed invention is fully allowable under 35 USC 103(a) in view of the cited prior art.

In view of the above and the attached full copy of JP 05-043402, it is believed that this application is in condition for allowance and a Notice to that effect is respectfully requested.

Respectfully submitted,

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